



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,024	11/18/2003	Samuel W. Bent	MS306031.1/60001.0313US01	6718
7590		01/19/2007		
Homer Knearl				
Merchant & Gould P.C.				
P.O. Box 2903				
Minneapolis, MN 55402-0903				
			EXAMINER	
			SALOMON, PHENUEL S	
			ART UNIT	PAPER NUMBER
			2112	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/19/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/717,024

Applicant(s)

BENT ET AL.

Examiner

Phenuel S. Salomon

Art Unit

2112

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11/18/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to the original filing of November 18, 2003. Claims 1-18 are pending and have been considered below.

#### ***Specification***

2. The use of the trademark [LINUX<sup>TM</sup>] has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 1-6, 8-16, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Bushe (US 6,978,422).

Art Unit: 2112

Claim 1: Bushe discloses a computer system having an operating system platform, a user interface framework system for rendering data according to a visual style defined for the data type, the system comprising:

- a plurality of objects, wherein the objects have one or more data fields; (col. 5, line 21-30).

- a style definition module for holding one or more visual style definitions to be selectively applied to the one or objects; (col. 11, lines 6-14 and fig. 4)

- a style lookup module for locating an associated visual style definition;  
(Examiner's note: Since style definitions define how the master view, task selections, managed object selections and data are to be displayed; therefore, style lookup is inherent).

- a binding (mapping) module for binding one or more of the plurality of data fields to one of the properties of the appropriate visual style definition; (col. 5, lines 28-30).

- a tree assembler module for generating a visual representation of the data based on the style definition; and (col.11, lines 6-22).

- a rendering engine for displaying the data using the bound style definition. (col. 13, lines 11-21)

Claim 2: Bushe discloses a system as in claim 1 above, further comprising a layout engine for providing additional user interface elements; and

- a user interface element factory for adding additional user interface elements to the data. (col. 11, lines 29-40).

Claim 3: Bushe discloses a system as in claim 1 above, wherein the objects are independent from the visual styles. (col. 19, lines 66-67 and col.20, lines 1-8).

Claim 4: Bushe discloses a system as in claim 1 above, wherein the tree assembler (XML parser) module builds a visual tree to represent the visual elements of the display. (col.3, lines 21-38).

Art Unit: 2112

Claim 5: Bushe discloses a system as in claim 1 above, wherein the plurality of objects are displayed as a list (col. 17, lines 49-60).

Claim 6: Bushe discloses a system as in claim 1 above, wherein the plurality of objects are displayed as a menu (col. 14, lines 18-30).

Claim 8: Bushe discloses a system as in claim 1 above, wherein the objects form a group, and wherein the system further comprises a group visual style definition and wherein the tree assembler module generates the visual representation based on the group visual style, the group visual style being independently defined from the data items. (col. 14, lines 17-52 and fig. 3)

Claim 9: Bushe discloses a method of displaying data according to an appropriate style comprising:

receiving a request to display one or more data items; (col. 16, lines 43-45).

locating the appropriate visual style, wherein the style is independently defined from the data items; (col. 18, lines 54-58).

generating a visual tree (expanded set of object selections) using the data items and the appropriate style; (col.17, lines 6-20).

binding (mapping) properties in the visual tree to properties of the data items; and (col. 15, lines 14-23).

rendering the display based on the visual tree (col. 19, lines 66-67 and col.20, lines 1-8).

Claim 10: Bushe discloses a method as in claim 9 above, further comprising declaring the data items using data objects (col.19, lines 53-61).

Claim 11: Bushe discloses a method as in claim 9 above further comprising:

automatically updating the visual tree in response to a change to a relevant data item. (col. 9, lines 13-20)

Claim 12: Bushe discloses a method as in claim 11 above wherein the change to a relevant data item. involves the addition of a relevant data item (col. 9, lines 3-11).

Claim 13: Bushe discloses a method as in claim 11 above wherein the change to a relevant data item involves the deletion of a relevant data item (col. 9, lines 3-11).

Claim 14: Bushe discloses a method as in claim 9 above further comprising:  
invalidating the visual tree (col. 17, lines 21-35);  
recognizing the invalidation of the visual tree (col.17, lines 32-35); and  
in response to recognizing the invalidation of the visual tree, regenerating the necessary portions of the visual tree; and  
re-rendering the display based on the regenerated visual tree (col. 19, lines 12-21).

Claim 15: Bushe discloses a method as in claim 9 above wherein the data items form a list (col. 17, lines 49-60).

Claim 16: Bushe discloses a method as in claim 9 above wherein the data items form a menu box.(col. 14, lines 18-30).

Claim 18: Bushe discloses a method as in claim 9 above further comprising:  
defining (determine) a visual style for a group (col. 17, lines 1-5);  
associating the data items with the group (col. 17, lines 6-15);  
in response to the request to display the data items, locating (identifying) the visual style for the group (col. 16, lines 16-21); and  
generating the visual tree based on the visual style for the group (col. 17, lines 6-20).

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bushe (US 6,978,422) in view of Haggie (US 2003/0231204 A1).

Claim 7: Bushe discloses a system as in claim 1 above, but does not explicitly disclose a plurality of objects are displayed as a combo box. Haggie discloses a "themeable user interface elements include controls such as a graphically displayed push button, combo box..."(page 4, par. [0040]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate this feature in Bushe. One would have been motivated to do it in order to provide application developers better ways to combine user interface and elements with data.

Claim 17: Bushe discloses a method as in claim 9 above, but does not explicitly disclose the data items form as a combination box. Haggie discloses a "themeable user interface elements include controls such as a graphically displayed push button, combo box..."(page 4, par. [0040]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate this

feature in Bushe. One would have been motivated to do it in order to provide application developers better ways to combine user interface and elements with data.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Olander et al. (US 2005/0108258 A1) discloses a control-based graphical user interface framework.

b. Lowry (US 5,953,724) discloses a global database library data structure for hierarchical graphical listing computer software.

c. Portmann (US 2006/0168536 A1) discloses a method and terminal for generating uniform device-independent graphical user Interface.

d. Marcos et al. (US 6,429,880 B2) discloses a method and apparatus for binding user interface objects to application objects.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phenuel S. Salomon whose telephone number is (571) 270-1699. The examiner can normally be reached on Mon-Fri 7:00 A.M. to 4:00 P.M.(Alternate Friday Off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Myhre can be reached on (571) 270-1065. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Art Unit: 2112

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PSS  
1/08/2007



James W. Myrhe  
Supervisory Primary Examiner